

Judge: Christopher M. Alston
Chapter: 13
Hearing Date: February 07, 2019
Hearing Time: 9:30 am
Hearing Location: Judge Alston's Courtroom
700 Stewart St #7206
Seattle, WA 98101-8101

Response Date: January 31, 2019

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In Re:

JESSICA MCCOLL NEILSON,

Debtor.

IN CHAPTER 13 PROCEEDING

NO. 18-14235

NOTICE OF TRUSTEE'S MOTION TO DISMISS
CASE AND HEARING

PLEASE TAKE NOTICE that the Chapter 13 Trustee's Motion to Dismiss Case IS SET FOR HEARING as follows:

Judge: Christopher M. Alston

Place: Judge Alston's Courtroom

700 Stewart St #7206

Seattle, WA 98101-8101

Date: February 07, 2019

Time: 9:30 am

IF YOU OPPOSE the motion, you must file your written response with the Court Clerk NOT LATER THAN THE RESPONSE DATE, which is January 31, 2019.

IF NO RESPONSE IS TIMELY FILED, the Court may, in its discretion, GRANT THE MOTION PRIOR TO THE HEARING WITHOUT FURTHER NOTICE, and strike the hearing.

Date: December 28, 2018

/s/Jason Wilson-Aguilar
Jason Wilson-Aguilar, WSBA #33582
Chapter 13 Trustee

NOTICE OF TRUSTEE'S MOTION TO DISMISS CASE
AND HEARING

Chapter 13 Bankruptcy Trustee
600 University St. #1300
Seattle, WA 98101
(206) 624-5124

Judge: Christopher M. Alston
Chapter: 13
Hearing Date: February 07, 2019
Hearing Time: 9:30 am
Hearing Location: Judge Alston's Courtroom
700 Stewart St #7206
Seattle, WA 98101-8101

Response Date: January 31, 2019

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In Re:

JESSICA MCCOLL NEILSON,

Debtor.

IN CHAPTER 13 PROCEEDING
NO. 18-14235

TRUSTEE'S MOTION TO DISMISS CASE

The Trustee moves to dismiss this case pursuant to 11 U.S.C. § 1307(c):

The debtor filed a plan on December 19, 2018 (ECF No. 22).

The debtor has failed to make plan payments and is delinquent \$1,181.50.

The debtor's case was filed on October 31, 2018 (ECF No. 1). 1) The above delinquency includes the December 2018 plan payment, which is due by December 31, 2018. The debtor is delinquent on plan payments, but a wage deduction is now in effect. Provided that the debtor does not become any further delinquent on her plan payments, this may not be an issue. 2) Based on the Attorney Disclosure Statement (ECF No. 11), the debtor paid \$2,100.00 prior to filing for attorney's fees. The debtor's amended plan (ECF No. 22) references that the debtor paid \$2,000.00 prior to filing for attorney's fees. The debtor needs to amend the plan and/or the Attorney Disclosure Statement for consistency regarding the amount paid by the debtor pre-filing for attorney's fees. The Trustee reserves the right to assert additional bases for this motion. If the debtor fails to address the issues set forth in both the Trustee's Objection and Motion to Dismiss, the case should be dismissed.

THE TRUSTEE REQUESTS that the Court dismiss this case.

TRUSTEE'S MOTION TO DISMISS CASE - 1

Chapter 13 Bankruptcy Trustee
600 University St. #1300
Seattle, WA 98101
(206) 624-5124

Dated: December 28, 2018

/s/ Jason Wilson-Aguilar

Jason Wilson-Aguilar, WSBA #33582

Chapter 13 Trustee

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10 **IN THE UNITED STATES BANKRUPTCY COURT**
11 **FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

12 In Re:

13 JESSICA MCCOLL NEILSON,

14 Debtor.

IN CHAPTER 13 PROCEEDING
NO. 18-14235

Proposed
ORDER DISMISSING CASE

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16 THIS MATTER having come before the Court on the Chapter 13 Trustee's Motion to Dismiss Case, and the
17 Court having reviewed and considered the motion, records and files in this case, it is

18 ORDERED that this case is dismissed.

19 // /End of Order/ //

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22 Presented by:

/s/Jason Wilson-Aguilar

23 Jason Wilson-Aguilar, WSBA #33582

24 Chapter 13 Bankruptcy Trustee

25 600 University St. #1300

26 Seattle, WA 98101

(206) 624-5124

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28
ORDER DISMISSING CASE

Chapter 13 Bankruptcy Trustee
600 University St. #1300
Seattle, WA 98101
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